

MAHUKA CASE CAN'T BE HEARD TILL NEXT YEAR

Since the receipt of a cable from next, it is said, but if Dole is disqualified, the case cannot be tried before that.

Dole's disqualification is said to lie in the fact that Mrs. Dole is a stockholder in the firm of E. O. Hall & Son, or was a stockholder at the time when the condemnation proceedings began, and the firm is one of those most interested in the litigation. It is one of the principal defendants in the condemnation suits. This, say the lawyers, clearly disqualifies the judge from hearing the case, and a new law a judge may be obtained from the mainland after January 1 judge to try it.

Tom Quinn Must Pay Bright \$1000 Damages

Exceptions of Thomas J. Quinn to the verdict of \$1,000 damages against him and in favor of Andrew I. Bright, for injuries caused by Quinn's automobile sweeping Bright off the running board of an electric street car, have been overruled by the Supreme Court in an opinion written by Justice Perry. F. Schnack, with E. C. Peters on the brief, appeared for plaintiff, and J. A. Magoon and C. K. Quinn, with Magoon & Weaver on the brief, for defendant. Following is the syllabus of opinion: "A diagram exhibited to a witness for the purpose of illustrating a question need not be prepared by an expert surveyor."

"In an action against a person operating an automobile to recover damages for negligence causing injury to the plaintiff, the fact that the plaintiff, while a passenger on a street car remained on the running board, does not necessarily constitute negligence, irrespective of whether there were vacant seats in the car. Whether or not the plaintiff was guilty of contributory negligence is a question to be determined by the jury in view of all the circumstances of the case."

"Comment before a jury on the fact, disclosed by the evidence, that one of the parties paid for the lunches of two witnesses on two days during the trial is within the bounds of legitimate argument."

"Instructions need not be given in the precise words requested if they are substantially given in another form."

"Punitive damages are recoverable in actions of tort when the defendant's misconduct has been wilful or when he has acted with a reckless indifference to the rights of others."

NEW PLAN TO LOOK AFTER TOURISTS

The Territorial Guide Service is a new enterprise being started by Peters of the Messenger Service. Will J. Cooper, at present of the Promotion Committee, will be associated with him in the enterprise after he leaves the Promotion Committee, at the end of the present month.

The guide service is modelled on the well known "Balloon Route" service in San Francisco and other cities in California, which makes a business of arranging trips for tourists and other sightseers. A folder has been issued, for distribution among visitors, telling of the various trips and amusements to be had under the auspices of the service, among them being a trip to see Pearl Harbor, a delightful mountain tramp, to go shark fishing, to go flying-fish shooting, to golf or play tennis, a Chinese, Japanese, or Hawaiian dinner, to see a Chinese or Japanese theatrical entertainment, to go surf-canoeing, a suitable hotel or room, to join a sight-seeing party to divide expenses, to see a sugar plantation, to see the greatest fruit-canning plant in the world, to visit a pineapple plantation.

FEDERAL SITE MASS MEETING

The Public Building Site mass meeting called by the Civic Federation is to be held this afternoon, beginning at 4:30 at the Capitol grounds. Seats have been provided. Among the speakers will be Delegate Kuhio, Representative Towse, W. R. Castle and George W. Smith.

MARSHALL GETS \$900 DAMAGES

James Marshall obtained a verdict for \$900 in his suit for \$10,000 damages against J. Pringle and others, contractors for Fort Shafter buildings, on account of injuries sustained from the fall of a scaffold on which the plaintiff was working. The jury was instructed by Judge Whitney at one o'clock yesterday afternoon and took until seven o'clock to find its verdict. Mr. Thompson for defendants took exceptions to the verdict and gave no

FATAL RECORD IS MAINTAINED

Tuberculosis thirteen and typhoid fever one, is the mortality record for the first half of May, as reported by the Board of Health, for the district of Honolulu. This continues consumption's long record of causing more deaths per week than the epidemics which are the occasion of quarantine.

MAKING START IN HEALTH WORK

The first meeting of the new sanitary commission, of which ex-Governor George R. Carter is chairman, is being held this afternoon in the Chamber of Commerce rooms. Members of the Board of Health and Supervisors were invited to attend, also the city and county physician. It is proposed to outline a plan for the work of the commission.

At the meeting a motion for a new trial, Mr. Peters represented plaintiff.

MRS. ANNE MARIE PRESCOTT DEMENTED ATTEMPTS SUICIDE

Sunday afternoon at three o'clock Mrs. Anne Marie Prescott cut her throat and is now in the Queen's Hospital, weak from loss of blood.

Her excuse for the almost fatal act was that she had leprosy. This was one of the many hallucinations which led to her being sent, some weeks ago to the home of the King's Daughters.

The public will remember the Star's story of her pitiable state. This patient at once started a subscription list among the newspaper writers for their fellow worker, for Mrs. Prescott was editor of the Honolulu Times. About \$60 was raised. Mr. Crane of the Advertiser received a hundred-dollar check to add to it from someone outside the fraternity. Then Mrs. Langton of the Paradise of the Pacific went about and got enough more to bring the collection up to between \$400 and \$500, which money was put in care of the King's Daughters. It was not sent to the patient because she would have given it away to anyone whom she thought more unfortunate than herself.

When she broke down mentally, Mrs. Prescott thought that she was being pursued by kidnappers. Then she believed people were conspiring against her paper, her means of livelihood. Finally she became convinced that she was a leper.

On Sunday afternoon she left her room in the King's Daughter's home and went to the kitchen for a knife. The Japanese cook gave her a carving knife, supposing that she wanted to use it in cutting papers, the matron, Mrs. Hanks, having but just taken another and sharper carver for that purpose. Soon the other inmates of the home heard a strange noise in Mrs. Prescott's room and going there found that the old lady had cut a two-inch gash in her throat and was bleeding fast. She could talk, and explained, pointing to her hands and wrists, that she was breaking out with leprosy sores and did not wish to live. There was no sign of sores, spots or abrasions.

Dr. Waterhouse was called and had Mrs. Prescott taken to the Queen's Hospital. If she lives she will probably go to the asylum where she can be watched.

Portuguese And Spaniards Here Want To Send For Their Relations

Dr. Victor Clark of the Bureau of Immigration is in possession of more than 250 names of friends and relatives of Spanish and Portuguese laborers here whom the latter would like to have come to the Territory. These people reside in the agricultural districts of the countries mentioned, in fact belong to the land-tilling class.

These names have been handed into the managers of the different plantations on which their relatives and friends are working.

When M. A. Silva makes his trip in the near future to inspect the newly arrived immigrants and to look into their condition, he will make a systematic collection of names of friends and relatives of the cane-workers now here and who are possible immigrants of the future.

This action will tend to insure the importation of the kind of laborers who are wanted here.

Dr. Clark stated this morning that according to advices from Spain over a thousand names of intending immigrants have been registered.

Capt. Falls Ordered Away; Successor Named

Captain Moor W. Falls, who has been the efficient depot quartermaster at Honolulu, has received his marching orders by mail from the Coast.

Captain Falls has been in charge of the depot here since November, 1908, and during that time has accomplished a vast amount of most excellent work towards establishing army garrisons for the military district of Hawaii.

Practically every post in Oahu for army use has been built and taken over by the government under Captain Falls' supervision. This is a record that can hardly be touched by any other detailed or regular quartermaster in the United States army.

Captain Falls is instructed to turn over the Quartermaster's office here to Captain Clifford Gamble, First Infantry, recently detailed for duty in the Quartermaster's department.

Captain Gamble has been quartermaster of his regiment, with station at Vancouver Barracks, Washington and comes to this military district with many friends here.

The depot quartermaster's office has grown so large that practically two army officers are needed now to do the work that was formerly performed by Captain Falls, assisted only by his corps of efficient and hard-working clerks.

Captain Frank B. Edwards, quartermaster, will take over the duties of constructing quartermaster for the entire district for the military.

Captain Gamble will have the regular routine and transport quartermaster's duties to perform.

TAX COLLECTIONS SHOW UP WELL

Taxes collected in the first division, being the Island of Oahu, during the month of May up till this morning, amount to about \$727,000. Collections from January 1 to May 1 were \$96,500, which, added to May collections, make an aggregate of \$823,500 collected thus far this year. Of this amount, \$160,500 belongs to the special conservation fund, which can be expended only upon conservation, agriculture and immigration.

As the tax receipts have run so far, they indicate a probability of collections for 1911 at least equaling and likely, to a moderate degree, exceeding those of 1910, when the total revenue from all taxes in this division was \$1,499,000.

The Board of License Commissioners will meet on June 14 and 16 for the purpose of acting on fifty-six applications for Liquor licenses. Fifty-four of these applications are for renewals, the odd two being new applications.

Pine Job Printing, Star Office.

REBEL LEADER TO START FOR DIAZ' CAPITAL

(Associated Press Cable to the Star.)

JUAREZ, May 18.—The signing of the peace compact has been postponed.

General Madero starts for the City of Mexico in forty-eight hours in response to a cabinet invitation to assist de la Barra in restoring peace. Four provisional governors will be appointed by Diaz, but the situation otherwise is unchanged.

HAWAIIAN STATEHOOD.

WASHINGTON, May 18.—The Hawaiian statehood resolution has been presented to the House.

EXCITING STOCKYARDS FIRE.

KANSAS CITY, May 18.—A stockyards fire here today destroyed 1000 sheep. Thousands of mules and horses were liberated, thus endangering the surrounding crowds.

TWO AVIATORS KILLED.

RHEIMS, France, May 18.—Two military aviators have been killed by a fall from an aeroplane.

ON LORIMER'S TRAIL.

WASHINGTON, May 18.—Senator La Follette is taking measures to expedite the Lorimer investigation.

LINCOLN CHANGES BASE.

CHICAGO, May 18.—President Robert Lincoln of the Pullman Car Company has resigned to become chairman of the board of directors. His successor is John S. Dannels.

FOUR PEOPLE SUNSTRUCK.

CHICAGO, May 18.—There were four deaths from heat today.

BASEBALL RECORDS.

SAN FRANCISCO, May 18.—National League: New York 1, Pittsburgh 6; Philadelphia 2, Chicago 11; Brooklyn 2, Cincinnati 1; Boston 1, St. Louis 3. American League: Cleveland 9, Washington 6; Detroit 3, Philadelphia 4; St. Louis 1, New York 3; Chicago 12, Boston 8.

MORNING CABLE ABSTRACT.

CITY OF MEXICO, May 18.—President Diaz is suffering from ulceration of the teeth.

Torreón is reported to have been captured by the rebels.

JUAREZ, May 18.—It is reported that 3000 rebels near Torreón oppose the cessation of the war on the basis proposed by Madero and accepted at the capital.

CAMPBELL'S ACCUSERS APPEAR TO LACK KNOWLEDGE OF THE LAW

Interviewed this morning in connection with the charges preferred against Superintendent of Public Works Campbell of having held up the building of the Mahukona wharf, Governor Frear said:

"The Legislature made the appropriation for the construction of the Mahukona wharf to come out of current funds. Work could not be gone ahead with until the close of the session, as it was not known till then if there were sufficient funds. If, for instance, the belt road bill had passed, no money would have been left."

"Then arrangements had to be made with the Mahukona railroad, whose terminus is at Mahukona harbor, and these negotiations are as yet unconcluded."

"I don't see how the matter can be begun before July 1. As soon as the new harbor commission comes into existence, on July 1, under the terms of the act, work can be gone ahead with without delay. I hope that everything will be in readiness to make a fair start at that time."

It is alleged, as published exclusively in The Star yesterday, that Campbell has been indulging in some scheme by which special steel for reinforcing the structure is to be used. Speaker Holstein is said to be behind the charges, and he, with George Watf and Henry Hind are reported to have been appointed by the Civic League of Hawaii as a committee to wait upon Governor Frear with regard to the matter.

So far the Governor has received no direct intimation about the charge.

THE TRAVELERS' TREE SAID TO BE RESPONSIBLE FOR MOSQUITOES

"The palme eke nowa men setteth forth to stand."—Palladius.

The travelers' tree (Ravensala Madagascariensis) has gotten itself disliked, in fact imminent pillkias stares it in the branches.

Its habits and disposition have been brought to the notice of the crusaders against the pestiferous mosquito. To-day it droops its graceful fronds in sorrow for an edict of banishment may be pronounced against it.

The travelers' tree belongs to the gentle genus of monocotyledonous of the order musaceae—at least that's what Professor Hosmer accuses it of. It is long, concave leaf-stalks are divided within into small cubical chambers about half an inch square, filled with clear, watery sap, which forms a refreshing and comforting drink and which gives the tree its name.

On this score no one has any kick coming. The trouble is that Ravensala Mad. has a naughty habit of collecting water at the base of each leaf-stalk in which the mosquito with the black and white-striped waistcoat and also his nocturnal cousin delight to breed. In fact Expert Jimmy Fox states that he is of the opinion that the tree is so greatly sought after by 'Skeeters that larvae room is always at premium, and that the tree is just what Professor Hosmer accuses it of. It is commonly spoken of as the travelers' palm but that is a lapsus linguae, cent remarkable increase of the cut-ice-cutters.

There are a great many of these trees in and about Honolulu and a

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